

**An act to encourage the growth of thorn hedges in this state.**

Passed March 2, 1836. R. S. 532.

24. SEC. 1. From and after the passage of this act, all the inhabitants of this state who have already planted, or shall hereafter plant, any thorn hedges, for fencing, upon the line of any public highway in this state, of three rods or more wide, shall be authorized to erect and keep up, for any period, not exceeding six years from the time of planting such hedge, a fence of such kind as he or she may choose, in front thereof, at the distance of four feet from such hedge, out into the public highway, for the protection and preservation of such thorn hedge or hedges; and it shall not be lawful, at any time within the said period of six years, for any overseer or overseers of the highways, or any other person or persons, to take up, remove, break down, destroy, or in any manner injure the said fence, so erected as aforesaid.

Fences authorized in the road to protect hedges.

25. SEC. 2. It shall not be lawful for any overseer or overseers of the highway, or any other person or persons, at any time after the passing of this act, to plough, dig, or otherwise turn up or remove any earth or soil within four feet of any thorn hedge now growing, or which shall hereafter be planted upon the line of any public highway in this state, whether the fence authorized in the first section of this act be put up or not.

Overseer not to plough or dig within four feet of a hedge.

26. SEC. 3. If any person or persons shall offend against the provisions of this act, or shall wilfully injure, dig up, or otherwise deface or destroy any thorn sets, or hedges now growing, or hereafter to be planted, or fence erected for their protection, in this state, the person or persons so offending shall, for each and every such offence, forfeit and pay the sum of thirty dollars, to be recovered by an action of debt, by the person injured, in his own name, in any court of competent jurisdiction in this state, with costs, and in addition to such penalty, shall be liable to all damages to the party injured.

Penalty for violating this act.

**Supplement.**

Approved February 26, 1873. P. L. 1873, p. 22.

27. SEC. 1. That the provisions of the act to which this is a supplement shall be and hereby are extended to all evergreen or other hedges heretofore planted or hereafter to be planted for fencing in this state.

Provisions of act extended to all evergreen or other hedges.

**Ferries.**

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| 1. Rates of ferriage, how fixed.                                      | 8. Penalty for delaying passengers, etc.                           |
| 2. Table of, posted up.   | 9. Ferryman's authority.   |
| 3. Clerk's fee for copy.  | 10. Persons to be carried over ferries according to their arrival. |
| 4. Penalty for overcharge.  | 11. Good wharves, etc., to be kept.                                |
| 5. Good boats, etc., to be kept.                                      |  |
| 6. Penalty for using insufficient boats.                              |  |
| 7. Penalty for not having sufficient implements or skillful ferrymen. |  |

**An act concerning ferries.**

Rev. 408.

Passed February 6, 1799. R. S. 542.

1. The board of chosen freeholders shall be, and they hereby are empowered and directed to fix the rates to be taken at the several ferries within their respective counties, and the same, from time to time, to revise, alter, amend, or make anew at their discretion.(a)

Board of freeholders to fix rates to be taken at ferries.

2. The owner or keeper of every ferry shall put up and maintain, where such ferry is kept, a post, with a table of the rates, fairly printed, written or painted, in large capitals, fixed and allowed by the said board, annexed thereto, and set up such post, with the table aforesaid, so near the place where the passengers enter the boat used for such ferry, that the said table and rate shall be open and visible to the said passengers; and if the owner or keeper of any ferry shall fail, neglect or refuse to put up and maintain

A table of rates to be posted up at the ferry.

(a) Applies to ferries, of which only one landing is in the county and the other in another state, *Freeholders of Hudson v. State*, 4 Zab. 718. See *Columbia Bridge Co. v. Getisse*, 5 Vr. 268; 6 Vr. 558. *S. C. Feb. Term*, 1876.

- a post and table of rates, in the manner and form aforesaid, he shall, for every day he may so fail, neglect or refuse, forfeit and pay one dollar to be recovered by action of debt, with costs of suit, by any person who will prosecute for the same.
- Clerk's fees. 3. The clerk of such board shall be entitled to receive, for a copy of the rates aforesaid, certified under his hand, the sum of fifty cents.
- Penalty for taking greater ferriage than the rate fixed. 4. If any ferryman, keeper of a ferry, or his servant, shall demand or take a greater sum for ferriage, than the rate fixed by the said board, he shall, for every such offence, forfeit and pay three dollars, to be recovered by action of debt, with costs of suit, by any person who will prosecute for the same.
- Every ferry to be provided with good boats and skilful ferrymen. 5. The owner or keeper of every ferry shall, at all times, be provided with good and tight boats, flats, wherries or other vessels, suited to such ferry, sufficient in size, strength steadiness, and accommodation, for the safe and speedy transportation of passengers, horses, cattle, carriages and goods, well furnished with sails, oars, setting-poles, or other necessary implements, and men, prudent, skilful, able bodied, sufficient and competent to such business and service.
- Penalty for using insufficient boats. 6. No ferryman shall carry or attempt to carry any person over any ferry in a boat, flat, wherry, or other vessel, that is not good and sufficient according to this act, under the penalty of ten dollars, to be recovered by action of debt, with costs of suit, by any person who will prosecute for the same.
- Penalty for not having sufficient implements or skilful ferrymen. 7. Every owner or keeper of a ferry, who shall not provide good and sufficient sails, oars, setting-poles, or other necessary implements as aforesaid, and such man or men as the condition of the passage shall require, qualified according to this act, for the safe and speedy transportation of passengers, horses, cattle, carriages, and goods, shall, for every default therein, pay two dollars, to be recovered by action of debt, with costs of suit, by any person who will sue for the same.
- Penalty on ferrymen who shall deny or delay to carry over passengers. 8. Every ferryman shall give constant and diligent attendance at his ferry, and shall not deny or unnecessarily delay the carrying over any passenger, horses, cattle, carriages or goods, upon the penalty of three dollars for every such offence, to be recovered by action of debt, with costs of suit, by any person who will sue for the same; and such ferrymen shall also be liable to an action for damages, at the suit of the party aggrieved; *provided always*, no ferryman shall be obliged to put off from his wharf or shore, and pass the said ferry, when it manifestly appears to be hazardous or dangerous for him so to do, on account of any storm, tempest, fresh, or ice.
- Ferrymen may keep or put persons out of their boats. 9. Every ferrymen shall have authority to keep or put out of his ferry boat or other vessel, any person who shall attempt or press to enter, or who shall enter or stay in his said boat or vessel, contrary to his order; and such person so doing contrary to his order, shall pay one dollar for every offence, to be recovered by action of debt, with costs of suit, by any person who will sue for the same.
- Persons shall be carried over ferries according to their arrival. 10. All persons shall be received into such ferry boats or vessels, and carried over the ferry according to their arrival or first coming to the said ferry; and any ferrymen acting contrary to this rule, shall be liable to the penalties prescribed in and by the eighth section of this act; *provided*, all public officers, and such as go on public or urgent occasions, as posts, couriers, physicians, surgeons and midwives, shall be carried over first or with the first.
- Owners of ferries to keep good wharves, etc. 11. All owners or keepers of ferries shall make, keep and maintain good and safe wharves or places of landing, where they are wanted, upon penalty of forfeiting such sum as the inferior court of common pleas of the county, where the same shall be wanted, shall, upon complaint to them made, determine and adjudge to be sufficient to make or repair such wharf or convenient landing; which forfeiture shall, by order of the said court, be appropriated and laid out for that purpose.